TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office

April 12, 1999 LB 536, 740

other business entities that land own to designate representatives that can serve on the board of trustees as representatives of that entity that own the land in the This legislation establishes that a member of the board of trustees can be a representative of a business entity that owns property within the district. Candidates for the board of trustees who are corporate representatives must be designated as such on the ballot. When they file for election to the board, they file a documentary evidence of their right to serve as the entity's representative. A write-in corporate representative must have the entity's name written as well as for the write-in vote to count. Finally, the language makes it clear that there may be more than one corporate or business entity represented on the board of trustees. That's what the bill does, simply does with the election of SID boards.

SPEAKER KRISTENSEN: Senator Hartnett, you're recognized to open on the committee amendment.

SENATOR HARTNETT: LB...this amendment is what was brought to us by Senator Bruning in LB 536. Under the current provisions of this section of statute, 31-735, in the eighth year following the initial election of trustees for each election thereafter, three of the five members of the Board of Trustees are to be elected by the resident owners of SID, intended to ensure that the residents have a greater voice in the affairs of the district than did nonresident property owners. Nevertheless, this provision can create mischief when a primary use of the property in SID is commercial and only a small or insignificant portion of the property is owned and used for residential purpose. The purpose of LB 536 was to ensure that the interests of the owners of the commercial property in such circumstances were protected from a minority abuse. The committee amendment provides that the requirement that the majority of members of the board of trustees can be elected by resident owners can be dispensed with when 90 percent or more of the area of the district is owned by other residential use...other residential use. Under these circumstances, all property owners shall elect all members of the board. So that's what the committee amendment does. I'd be glad to answer any questions.

SPEAKER KRISTENSEN: Debate on the committee amendment. Senator